

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MANUEL RAMOS,	:	CIVIL NO.: 1:00-CV-1957
Plaintiff,	:	
	:	
v.	:	(Judge Jones)
	:	
MARGARET HARDEN,	:	
DR. MCGLORI,	:	(Magistrate Judge Smyser)
DR. MAXIMO R. VELASCO, JR.,	:	
DR. PETER J. TERHAAR	:	
Defendants.	:	

**PLAINTIFF’S COUNTER-STATEMENT OF MATERIAL FACTS IN  
OPPOSITION TO DEFENDANTS, UNITED STATES OF AMERICA,  
VELASCO, AND BUSSANICH, MOTION FOR SUMMARY JUDGEMENT**

1. Admitted. It is not, however, admitted that Plaintiff’s claims were subject to that procedure.
2. Admitted. It is not, however, admitted that Plaintiff’s claims were subject to that procedure.
3. Admitted. It is not, however, admitted that Plaintiff’s claims were subject to that procedure.

4. Denied. The document does not demonstrate that such claims were “successfully” filed, and approximately half of those claims were rejected because they were not submitted in English. Moreover, Defendants have not provided the actual forms submitted by Plaintiff, and Plaintiff is unable to fully admit or deny Defendants’ characterization as to the nature of Plaintiff’s submissions.
5. Denied as stated. See preceding response.
6. Denied as stated. See preceding response.
7. Admitted. It is not, however, admitted that Plaintiff’s claims were subject to that procedure.
8. Admitted. It is not, however, admitted that Plaintiff’s claims were subject to that procedure.
9. Denied. Defendants have not provided the actual forms submitted by Plaintiff, and Plaintiff is unable to fully admit or deny Defendants’ characterization as to the nature of Plaintiff’s submissions.
10. Admitted.
11. Admitted.

Respectfully submitted,

Date: August 25, 2003

s\Andrew J. Ostrowski, Esquire  
PA Id. #: 66420  
4311 N. Sixth Street  
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*Attorney for Plaintiff*

**CERTIFICATE OF SERVICE**

I, Andrew J. Ostrowski, hereby certify that the foregoing document is being served by first-class mail, addressed as follows:

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S\ Andrew J. Ostrowski

August 25 , 2003